

REMARKS

Claims 1 – 29 are pending in the Application and are now presented for examination.

Claims 1, 3-5, 12-13, 16-19, 22-24, and 29 have been amended. No new matter has been added.

Claims 1, 13 and 19 are independent.

Claim Objections

On page 4 of the Office Action, Claim 3 is objected because of a typographical error. Applicants thank the Examiner for pointing out Applicants' typographical error. Claim 3 has been amended to recite "code generated to support an external management interface," as suggested by the Examiner. Applicants respectfully assert that amended Claim 3 is patentable, and respectfully request that this rejection be withdrawn.

Claim Rejections under 35 U.S.C. §101

On page 4 of the Office Action, Claims 13-18 are rejected under 35 U.S.C. §101 because the claimed invention is directed to non-statutory subject matter. Applicants respectfully disagree.

Independent Claim 13 recites the feature of a tangible "system comprising: a global repository; . . . wherein the global repository is configured to: model . . . ; translate . . . ; . . . ; store . . . ; and automatically generate." A claim reciting a system performing physical operations does not preclude patentability. The MPEP in Section 2114 states that the "features of an apparatus may be recited either structurally or functionally." The fact that the functions claimed in Claim 13 could possibly be implemented in whole or in part as software is not relevant because Claim 13 clearly claims a tangible system. For example, a "global *respository*" is most certainly a tangible item. Accordingly, independent Claim 13, and dependent Claims 14-

18 which depend there from, are indeed directed toward statutory subject matter in compliance with 35 U.S.C. §101. Applicants respectfully assert that Claims 13-18 are patentable and request the withdrawal of the rejections of these claims.

Claim Rejections under 35 U.S.C. §102

On page 5 of the Office Action, Claims 1-2, 5-7, 9, 11-14, 17-20, 23-26 and 28-29 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent Publication No. 2003/0046370 to Courtney (Courtney). Applicants respectfully disagree.

Independent Claim 1 recites the features of “modeling network element commands, events and data from a plurality of a same type of sources in a first modeling language; translating data represented in the first modeling language to data represented in a second modeling language.” Courtney does not disclose or suggest these features.

Courtney is directed towards creating user friendly interfaces to configure network devices, i.e. routers. Courtney, Paragraph [0011] and [0013]. Courtney shows “retrieving a [...] network device’s configuration, in a native format, from the network device [...] and converting it into a standard-format configuration such as an XML document or a DOM.” Courtney, Paragraph [0016]. Instead of being forced to manipulate a difficult Command Line Interface (CLI) based configuration format, the system administrators can use the standard format configuration to interact with the target network device. *Id.* In Courtney, this “standard-format configuration provides system administrators with an easy-to-use, familiar device configuration format for different network devices [...] across multiple brands and models.” *Id.* While Courtney *converts* a CLI configuration into a XML or DOM configuration, Courtney does not translate “data represented in a first modeling language to data represented in second modeling language.” A CLI is not a language, much less a modeling language. CLI is a mechanism for

interacting with a computer operating system or software by typing commands to perform specific tasks. This contrasts with the use of a mouse pointer with a graphical user interface (GUI) to click on options, or menus on a Text user interface (TUI) to select options.

In contrast, the claimed invention not only “model[s] network element commands, events and data from a plurality of a same type of sources in a first modeling language,” but also “translate[es] data represented in the first modeling language to data represented in a second modeling language.” In other words, Claim 1 models the network data into a first modeling language, and then translates from a first modeling language to a second modeling language. By way of non-limiting example, the first language can be Structured Management Information (SMI), and the second language can be a vocabulary of extensible markup language (XML). Paragraph [0003].

In the present invention as recited in amended independent Claim 1, the global repository is configured to model network element commands, events, and data from a plurality of sources in a first modeling language. The global repository is also configured to translate data represented in a first modeling language to data represented in a second modeling language. Paragraph [0004]. Courtney does not teach translating from a first modeling language to a second modeling language, as it merely shows converting a non modeling language (CLI) configuration into a XML or DOM configuration. Because there is no mention in Courtney of translating from one modeling language to another, for example from SIM to XML, Courtney cannot teach or suggest the features of Claim 1. For at least this reason, Applicants respectfully assert that Claim 1 is patentable over Courtney and request that the rejection to Claim 1 be withdrawn.

Independent Claims 13 and 19 recite features similar to Claim 1. Specifically, Claim 13 and 19 recite “model[ing] network element commands, events and data from a plurality of a same type of sources in a first modeling language” and “translate[ing] data represented in the first modeling language to data represented in a second modeling language” As discussed above, these features are not taught or disclosed by Courtney. Applicants respectfully assert that, as with Claim 1, independent amended Claims 13 and 19 are patentable over the cited art, and request that the rejection to these claims be withdrawn.

Claims 2, 5-7, 9, 11, 12, 14, 17, 18, 20, 23-26, and 28-29 are each dependent directly or indirectly from one or another of independent Claims 1, 13, and 19 discussed above. These claims recite additional limitations which, in conformity with the features of their corresponding independent claim, are not disclosed or suggested by the art of record. The dependent claims are therefore believed patentable. However, the individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

Claim Rejections under 35 U.S.C. §103

On page 8 of the Office Action, Claims 3, 15 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Publication No. 2003/0046370 to Courtney. Applicants respectfully disagree.

As explained above, Courtney does not teach the features of independent Claims 1, 13, and 19, and as such, Claims 1, 13 and 19 are believed patentable. Claims 3, 15 and 21 are each dependent either directly or indirectly from one or another of independent Claims 1, 13, and 19 discussed above. These claims recite additional limitations which, in conformity with the features of their corresponding independent claim, are not disclosed or suggested by the art of

record. The dependent claims are therefore believed patentable. However, the individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

On page 10 of the Office Action, Claims 4, 8, 10, 16, 22 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Publication No. 2003/0046370 to Courtney in view of Applicant Acknowledged Prior Art Techniques.

Claims 4, 8, 10, 16, 22 and 27 are each dependent directly from one or another of independent Claims 1, 13, and 19 discussed above. These claims recite additional limitations which, in conformity with the features of their corresponding independent claim, are not disclosed or suggested by the art of record. The dependent claims are therefore believed patentable. However, the individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

For all of the above reasons, the claim objections are believed to have been overcome placing Claims 1-29 in condition for allowance, and reconsideration and allowance thereof is respectfully requested.

The Examiner is encouraged to telephone the undersigned to discuss any matter that would expedite allowance of the present application.

The Commissioner is hereby authorized to credit overpayments or charge payment of any additional fees associated with this communication to Deposit Account No. 502104.

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